

IN THE U.S. PATENT AND TRADEMARK OFFICE

Express Mail Label No.: ER 124813259 US

Attorney Docket No.: HOG610C

Applicant(s): Armin DIEZ, Tobias GRUHLER, and Wolfgang FRITZ

Title: AT LEAST SUBSTANTIALLY METALLIC  
CYLINDER HEAD GASKET

MS Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is a request for filing a [X] continuation application under 37  
CFR 1.53(b) of pending prior application:

Serial No.: 10/052,468 Filed: January 23, 2002

Applicant(s): Armin Diez, Tobias GRUHLER, and Wolfgang FRITZ

For: AT LEAST SUBSTANTIALLY METALLIC  
CYLINDER HEAD GASKET

Group: 3676 Examiner: Kyle

Enclosed is:

1. [X] A copy of the prior application (verified English translation  
application in which no new matter is presented, including the  
declarations (2) submitted.
2. [ ] Specification, Claims, Abstract, Drawings (for CIP).
3. [ ] This application is entitled to small entity status.
4. [X] The filing fee is calculated as follows after entering the  
enclosed Preliminary Amendment:

For	No. Filed	No. Extra	(X) LG Entity	RATE	( ) SM Entity	Fee
Basic Fee				\$770.00	\$385.00	\$770.00
Total Claims	(3 - 20 = 0)		x	\$ 18.00	x \$ 9.00	0.00
Indep. Claims	(1 - 3 = 0)		x	\$ 84.00	x \$ 42.00	0.00
[ ] Multiple Dependent Claim			+	\$280.00	+ \$140.00	0.00
* * * TOTAL FILING FEE * * *						\$770.00

5. [X] A check for \$ 770.00 is enclosed to cover fees.

16834 U.S. PTO  
10/773704  
020604

16569 U.S. PTO  
020604

Rule 1.53(b) Transmittal - Page 2

7. [X] The Commissioner is hereby authorized to charge any additional filing fees under 37 CFR 1.16 which may be required by this communication, or to credit any overpayment, to Deposit Account No. 20-1124. A copy of this sheet is enclosed.
8. [ ] A Statement under 37 CFR 1.9 and 1.27 regarding small entity status:
- a. [ ] was filed in prior application Serial No. \_\_\_\_\_ filed \_\_\_\_\_.
- b. [ ] is enclosed. (Not required if a Statement is in the prior application.)
9. [X] Cancel in this application original Claims 1-23 and 25 of the prior application before calculating the filing fee. (Retain at least one independent claim.)
10. [X] Amend the specification by inserting before the first line the sentence: ---This is a continuation of Serial No. 10/052,468 filed January 23, 2002 claiming priority of German application No.101 48 295.7 filed September 29, 2001 and European application No. 01 128 978.2 filed December 6, 2001.---
11. [ ] Transfer the formal drawings from the prior application to this application and abandon said prior application as of the filing date accorded this application. A duplicate copy of this sheet is enclosed for filing in the prior application file. (May only be used if signed by a person authorized by 37 CFR 1.138 and before payment of the issue fee.)
12. [X] 9 Drawing sheets.
13. [X ] Priority is claimed under 35 USC 119 based on X German Application No. 101 48 295.7 filed September 29, 2001 and X European application No. 01 128 978.2 filed December 6, 2001.---
14. [X] The certified copies have been filed in prior application Serial No. 10/052,468 filed January 23, 2002.
15. [X] The Power of Attorney in the prior application is to Edward J. Timmer (Reg. No. 27 402) of Walnut Woods Centre, 5955 W. Main Street, Kalamazoo, MI 49009.
- [X] The Power appears in the papers in the prior application.

16. [X] The prior application is assigned of record to  
ElringKilnger AG.
17. [X] A Preliminary Amendment is enclosed. (Claims added are numbered consecutively beginning with the number next following the highest numbered original claim. Enter the Preliminary Amendment before calculating the filing fee)
18. [X] I hereby verify that the attached papers are a true copy of the prior application, the declaration being a copy from the file history of the prior application.
19. [X] Acknowledgment Postal Card

The undersigned declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Please address all telephone calls to the undersigned at  
(269) 629-9136. Please address all correspondence to:

Edward J. Timmer  
P.O. Box 770  
Richland, MI 49083-0770

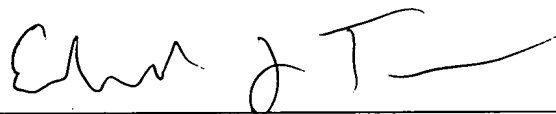
The undersigned is: [X] an attorney of record in the prior  
application.

[ ] acting under 37 CFR 1.34(a).

IN DUPLICATE

Respectfully submitted,

EJT/gg

  
\_\_\_\_\_  
Edward J. Timmer (Reg. No. 27 402)

Encl: Listed Above

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

"Express Mail" Mailing Label No.: ER 124813259 US

Date of Mailing: February 6, 2004

Applicant(s) : Armin Diez et al.

Title : AT LEAST SUBSTANTIALLY METALLIC  
CYLINDER HEAD GASKET

Serial No. : not known

Filed : not known

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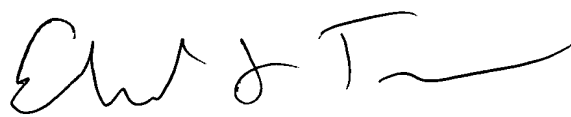
EXPRESS MAILING CERTIFICATE

Sir:

I hereby certify that the attached paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to:

Commissioner for Patents,  
P.O. Box 1450,  
Alexandria, VA 22313-1450.

By:

  
Edward J. Timmer, Reg. No. 27402

Date: February 6, 2004

Document(s) attached: Rule 1.53 Continuation  
Application Transmittal  
Copy of Specification (29 pages),  
Claims (7 pages), Abstract (1 page),  
Drawings (9 sheets) Declarations (2),  
Check for \$770.00, Preliminary Amendment,  
Postal Card

Telephone: (269) 629-9136